

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Demetrius Lamont McCullers

Docket No. 5:96-CR-51-3BO

Petition for Action on Supervised Release

COMES NOW Christopher Studley, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Demetrius Lamont McCullers, who, upon an earlier plea of guilty to Conspiracy to Possess with Intent to Distribute Cocaine Base 21 U.S.C. § 846, was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on October 4, 1996, to the custody of the Bureau of Prisons for a term of 262 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months.

Demetrius Lamont McCullers was released from custody on September 08, 2015, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

On January 24, 2017 and February 17, 2017, the defendant tested positive for the use of cocaine. When confronted, the defendant admitted use and signed an admission form for each use. In response to the illegal drug use, 2 days custody in the Bureau of Prisons and 15 hours of community service is recommended as a sanction. Additionally, the defendant shall participate in the DROPS Program to deter future drug use. The defendant will continue to participate in substance abuse treatment as recommended by the treatment provider. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall perform 15 hours of community service as directed by the probation office and if referred for placement and monitoring by the State of North Carolina, pay the required fee.
2. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days;
3. The defendant shall be confined in the custody of the Bureau of Prisons for a period of 2 days, as arranged by the probation office and shall abide by all rules and regulations of the designated facility.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Michael C. Brittain
Michael C. Brittain
Supervising U.S. Probation Officer

/s/ Christopher Studley
Christopher Studley
U.S. Probation Officer
310 New Bern Avenue, Room 610
Raleigh, NC 27601-1441
Phone: 919-861-8669
Executed On: March 22, 2017

ORDER OF THE COURT

Considered and ordered this 22 day of March, 2017, and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge